

Application No. 10/084,174
Attorney Docket No. 29250-000571/US

REMARKS

Claims 1-10, 11-17 and 19-22 are pending in this application. Claims 1, 12 and 19 are independent claims. No claims are amended, canceled, or added by this Response.

PRIOR ART REJECTIONS

Claims 1, 2, 4, 7, 12, 15 and 19 stand rejected under 35 U.S.C. §103(a) as unpatentable over Immonen et al. (US Publication No. 2002/0132611, herein Immonen), in view of Tuunanen (U.S. Patent No. 6,487,288, herein Tuunanen) and in view of Rasanen (US Publication No. 2005/0286418, herein Rasanen). Claims 3, 5-6, 8-10, 13, 14, 16, 17 and 20-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Immonen, Tuunanen, and Rasanen in further view of Bender et al. (US Patent No. 6,539,030, herein Bender). Applicant respectfully traverses this rejection as detailed below.

The Examiner already admits at page 3 of the current Office Action that Immonen fails to disclose a token "indicating whether the access terminal is operating according to a default parameter group for the associated parameter group type." Instead the Examiner relies on Tuunanen as teach this feature.

Tuunanen at col. 2, lines 30-40 discloses "[A] problem presented by the arrangement described above is that intelligent network service cannot be built to take the configuration of the switching point into account since data on the capabilities, i.e. the configuration, of the service switching point cannot be fully transmitted to the service control point SCP, but default values must be used for the capabilities of the switching point when the service is being built. If the values of the switching point capabilities deviate from the assumed ones, the service does not

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function.” Therefore, Tuunanen is clearly directed only to finding a way to send a configuration to the SCP.

Tuunanen at col. 5, lines 50-60 discloses “the intelligent network service control point SCP requests the service switching point SSP for information on its configuration by an enquiry operation...the operation data can be an identifier which identifies the default set of parameters or identifies one set from among several default sets.” Therefore, the system in Tuunanen does not know what set of parameters to use, so Tuunanen uses an “identifier” to identify the set. Accordingly, the “identifier” in Tuunanen is clearly not the same as the “token...indicating whether the access terminal is operating according to a default parameter group for the associated parameter group type,” as required by claim 1.

Further, Tuunanen further discloses at col. 6, lines 1-8 “the service switching point SSP informs the control point SCP of its configuration by a configuration operation...the configuration operation comprises as its operation data (param1=X,...) those parameters with their values whose values were to be requested by the enquiry operation.” Accordingly, Tuunanen requires that the values of the parameters whose values were requested by the enquiry operation, i.e., the default set of parameters, be sent to the SCP in response to the “identifier.” Accordingly, the “identifier” in Tuunanen is not the same as the “token...indicating whether the access terminal is operating according to a default parameter group for the associated parameter group type” as required by claim 1, which also requires “sending information to and receiving information from the access terminal according to the default parameter group without negotiating parameters for the associated parameter group type when a portion of the access network communicating with the access terminal operates according to the default parameter group for the associated parameter group type.”

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Still further, Immonen discloses at paragraph [0053] "In case no specific QoS profile is requested by the user equipment 11, it is checked from the configuration in the SGSN 12 which values of attributes are to be used as default profile for the requested connection." Accordingly, one skilled in the art would not look to combine the "identifier" of Tuunanen which requires that the SSP inform the control point SCP of its configuration in response to the identifier with Immonen which merely "checks from the configuration in the SGSN 12 which values of attributes are to be used as default profile" in case no specific QoS profile is requested. To the contrary, the combination of Tuunanen with Immonen would render Immonen less efficient in achieving the goal of assignment of values of service attributes to transmissions requested by a user equipment in a radio access network by requiring the additional transmission of those parameters with their values whose values were requested by the enquiry operation of Tuunanen.

Accordingly, Applicant respectfully submits that claim 1 is patentable for at least the above reasons. Applicant also respectfully submits that even assuming for the sake of argument Immonen, Rasanen, and/or Bender are properly combinable (which Applicant does not admit), Rasanen and/or Bender fail to cure the deficiencies of Immonen discussed above. Claims 12 and 19 contain features somewhat similar to those discussed above in regards to claim 1, and therefore, claims 12 and 19 are patentable for at least somewhat similar reasons as claim 1. Claims 2-10, 12-17, and 19-22, which depend from one of claims 1 and 12, are patentable for at least the same reasons discussed above in regards to claims 1 and 12 as well as on their own merits.

In view of the above, Applicant respectfully requests the rejections under 35 U.S.C. §103(a) be withdrawn.

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CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the pending claims of this application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$120.00 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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